

REMARKS

Claims 1 to 96 were pending in the application at the time of examination. Claims 1 to 96 stand rejected as obvious.

Applicants have amended Claims 1 to 25, 27, 28, 30, 32, 39, 49, 51, 52, 54, 56, 63, 73, 75, 76, 78, 80, 81, and 87 to change "card device" to "smart card." The amendment is supported at least by paragraph [0029] of the specification.

Claim 33 is amended to correct an antecedent basis informality.

Claims 1 to 96 remain rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,839,843, hereinafter referred to as Bacha, in view of U.S. Patent No. 5,572,582, hereinafter referred to as Riddle.

Applicants respectfully traverse the obviousness rejection of each of Claims 1, 25, 49 and 73. In maintaining the action, it was stated:

2.1 In response to Applicant argument that the Bacha et al. (Bacha) reference does not teach or suggest "that processes that utilize the memory and computing resources and work stations could be implemented on a card device," the Examiner respectfully disagrees citing column 5 lines 47-49 and lines 64-65 which clearly recites, "the document repository system 204 of the preferred embodiment comprises two components, an application server 210 and a vault controller 214. The application server is a program to administer the database repository 212, which may be on the same machine or may be remotely located on a closed network," and "the application server component 210 does not run on a trusted computing base, but can execute on any platform." Thus the Examiner understands the application server program to be executable on "any platform" including on the claimed "card device" and on various operating systems. The rejection has not been overcome, therefore the rejection of claims 1-1 00 is maintained.

Applicants respectfully note that this addresses only one paragraph in Applicants' remarks and fails to address the issue that when Bacha is considered as a whole, as required by the

MPEP, Bacha fails to support the interpretation given in the office action.

Applicants respectfully note that in each of these claims the structure and/or method is on a smart card. Applicants further note that both Applicants' claims and the prior art are considered in view of the level of skill in the art. One of skill in the art would not assert that an application server can run on any platform based on the statement in Col. 5 of Bacha, because it is well known that there are many platforms that do not support an application server. Further, in context, the "any platform" of Bacha would be interpreted to mean a suitable platform whether a trusted computing base or not.

Those of skill in the art also recognize that the limited processing and memory capabilities of smart cards restrict what can be implemented using a smart card. There has been no showing of any application server executing on a smart card. Moreover, simply having the application server is not enough. Each of the other components cited in the rejection must also be located on the smart card. Bacha teaches away from such a combination when considered as a whole and so contradicts the position taken in the final office action as quoted above.

In addition, the claims must be considered as a whole. Claim 1, for example recites "a capabilities list associated with said application program, said capabilities list including information regarding whether access to one or more resources for use by said application program is permitted." The rejection reduces this express limitation to a gist, controlling access to something, which in the case of Bacha is access to digital documents. There has been no showing or citation to any list as recited in the claim. Controlling access to documents on a server in a document repository teaches or suggests nothing with respect to controlling access to resources needed by an application program executing on a

smart card as recited in these claims. The cited teaching in Bacha fails to suggest or disclose an executing application program on a card device requesting access to a resource, a security manager or a capabilities list as recited in these claims.

Therefore, the combination of references fails to render each of Claims 1, 25, 49 and 73 obvious for multiple reasons. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 1, 25, 49 and 73.

Claims 2 to 24 depend from Claim 1 and so distinguish over the combination of references for at least the same reasons as Claim 1. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 2 to 24.

Claims 26 to 48 depend from Claim 25 and so distinguish over the combination of references for at least the same reasons as Claim 25. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 26 to 48.

Claims 50 to 72 depend from Claim 49 and so distinguish over the combination of references for at least the same reasons as Claim 49. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 50 to 72.

Claims 74 to 96 depend from Claim 73 and so distinguish over the combination of references for at least the same reasons as Claim 73. Applicants respectfully request reconsideration and withdrawal of the obviousness rejection of each of Claims 74 to 96.

Claims 1 to 96 remain in the application. Claims 1 to 25, 27, 28, 30, 32, 33, 39, 49, 51, 52, 54, 56, 63, 73, 75, 76, 78, 80, 81, and 87 are amended. Claims 97 to 100 were canceled previously. For the foregoing reasons, Applicant(s)

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respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 19, 2008.



Attorney for Applicant(s)

May 19, 2008

Date of Signature

Respectfully submitted,



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